

Serial No. 10/820,121
Amdt. dated December 12, 2005
Reply to Office Action of August 17, 2005

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Remarks/Arguments**35 USC § 112**

The compounds have now been limited to compounds which are commonly known in the art as guandine (i.e. containing the structure $(NR_2)C=NH$).

The term "common" in the phrase "common additives and/or excipients" has been replaced by the term "pharmaceutically acceptable". This term is clearly inferable from the description and better conforms to U.S. practice.

The method claims 15 and 16 have been amended to more clearly specify the steps of the method, by using the term "combining" rather than "processing". The word "combining" is clearly inferable from the specification as filed.

Claim 17 has been cancelled.

35 USC § 101

Claim 17 has been cancelled.

35 USC § 102

The Examiner objected to claims 1 to 5 in view of the prior art. The claims have now been amended by limiting X in claim 1 and amended claim 15 to $-CH_2-NH-NH-$ and $CH=N-NH-$. Additionally, R has been limited to non-aromatic moieties. The claims have also been reworded as pharmaceutical preparation claims.

The cited documents fail to describe aminoguanidines; thus the amended claims are clearly distinguished from the cited art. Further, the prior art cited relates to "bacteriostatic paper" (GB 1,091,049), to "paint compositions" (US 3,915,918), and to "additives for functional fluids" (US 3740338). All three fail to mention a pharmaceutical preparation.

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It is to be noted that the compounds of the present invention, although designated salts for reasons of simplicity, are not really simple salts. Since guanidines will be precipitated by phosphate ions and this precipitation is absent or at least significantly reduced for the compounds according to the invention (example 6) the behaviour of the claimed "salts" of organic acids is distinct of that of salts with inorganic acids like the chloride. No such difference is taught by the cited art. In the contrary, GB 1,091,040 and US 3,915,918 teach organic acid and inorganic acid salts to be equivalent.

Miscellaneous

Clerical errors in claim 3 and 12 have been corrected.

Reconsideration and allowance of this application is respectfully requested.

An extension fee for 1-month is due. Authorization to debit our account for this is given in another letter accompanying this submission. We believe no further fee is required. However, the Commissioner is hereby authorized to change any additional fees and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,
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